

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
MARCH 21, 2005

**D044899          Versaci v. Superior Court of San Diego County/Palomar Community College District**

The petition is denied. Costs in this proceeding are awarded to the District. CERTIFIED FOR PUBLICATION. McConnell, P.J.; We Concur: Haller, J., McDonald, J.

**D043287          Golden v. Superior Court of San Diego County/Lasher**

The petition is denied.

**D043370          Golden v. Lasher**

The order is affirmed. Costs are awarded to respondent. Huffman, Acting P.J.; We Concur: McDonald, J., McIntyre, J.

**D045047          In re Jeffrey P. et al., Juveniles**

The orders are affirmed. O'Rourke, J.; We Concur: McConnell, P.J., Haller, J.

**D044892          In re Delgadillo on Habeas Corpus**

The petition is denied.

**D046047          People v. Protsman**

The appeal filed on March 8, 2005 is dismissed.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
MARCH 22, 2005

**D044782        In re Marriage of Fidler**

The judgment is affirmed. Aaron, J.; We Concur: McConnell, P.J., Nares, J.

**D043683        Estate of McIlwain**

The judgment is affirmed. Benke, Acting P.J.; We Concur: McDonald, J., McIntyre, J.

**D045924        In re Carter on Habeas Corpus**

The petition is denied.

**D045913        Crober et al. v. Superior Court of San Diego County/Washington Mutual Bank**

The petition is denied.

**D044816        In re Joshua B., a Juvenile**

The order is affirmed. Haller, J.; We Concur: McConnell, P.J., Irion, J.

**D045026        People v. Carrillo**

The judgment is affirmed. O'Rourke, J.; We Concur: Nares, Acting P.J., Irion, J.

**D044596        Econo Lube N'Tune, Inc. v. Pavanis, LLC**

The judgment is affirmed. Econo to pay Pavanis's costs on appeal. Haller, J.; We Concur: McConnell, P.J., Nares, J.

**D045928        In re Fanning on Habeas Corpus**

The petition is denied.

**D046065        Connelly v. Superior Court of San Diego County/Lennar-Intergulf (Little Italy)**

The petition is denied.

**D046041        Mahdavi v. City of Oceanside et al.**

Request for Permission to Appeal received by this court on March 21, 2005, is denied. The appeal filed with the Superior Court on March 7, 2005, is dismissed.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
MARCH 23, 2005

**D043970        Shepard v. The Dominion of Canada General Insurance Company et al.**

The judgment is affirmed. Nares, J.; We Concur: McConnell, P.J., Aaron, J.

**D044996        In re E.P., a Juvenile**

The judgment is affirmed. Huffman, Acting P.J.; We Concur: McIntyre, J., O'Rourke, J.

**D046081        People v. Lee**

A decision of the appellate division of superior court is not reviewable on appeal to a district court of appeal. Review is by petition for certification and transfer. The appeal filed on March 14, 2005, is dismissed.

**D044970        In re Michael A., a Juvenile**

The judgment is affirmed. McIntyre, J.; We Concur: Nares, Acting P.J., Haller, J.

**D045455        People v. Casillas**

Appellant has failed to file a brief after notice given pursuant to California Rules of Court, rule 33(c)(5) and 17. The appeal is dismissed.

**D044559        Blackburne & Brown Mortgage Company, Inc. v. Ateeq**

The judgment is affirmed. Blackburne is entitled to costs on appeal. McDonald, J.; We Concur: Benke, Acting P.J., Huffman, J.

**D045950        Williams v. Superior Court of San Diego County/The People**

Petitioner Charles Jeffrey Williams has not established sufficient evidence of ownership. The petition is denied without prejudice to renewing the motion in superior court to establish ownership of the property in question.

**D044939        People v. Melero**

The judgment is affirmed. O'Rourke, J.; We Concur: McConnell, P.J., Nares, J.

**D045109        People v. Hill**

The judgment is affirmed. Nares, Acting P.J.; We Concur: O'Rourke, J., Irion, J.

**D045055        People v. Bueno**

The judgment is affirmed. Benke, Acting P.J.; We Concur: Nares, J., McIntyre, J.

**D045123        People v. Mellert**

The judgment is affirmed. Irion, J.; We Concur: McConnell, P.J., Haller, J.

**D043671        People v. Nathan**

The judgment is affirmed. Aaron, J.; We Concur: Huffman, Acting P.J., McDonald, J.

**D045685        In re Savanna M., a Juvenile**

The appeal is dismissed. Aaron, J.; We Concur: Haller, Acting P.J., McIntyre

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
MARCH 23, 2005 (Continued)

**D044555 County of San Diego v. Balcorta**

Upon written request filed by appellant, the appeal is dismissed and the remittitur is ordered to issue immediately (Cal. Rules of Court, rule 20(c)(2)).

**D046083 Abrahams v. Superior Court of San Diego County/Jacob Health Care Center, LLC et al.**

The petition is denied.

**D044681 Berkly v. Bank of America National Trust and Savings Association**

That portion of the order on Bank of America's motion to vacate awarding Bank of America \$68,526.16 in attorney fees as against Berkly is reversed. Nares, J.; We Concur: McConnell, P.J., Haller, J.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
MARCH 24, 2005

**D044200        People v. Young**

**D044662        People v. Young**

Young's appeal from the order imposing sentence before granting probation is dismissed as moot. The judgment is reversed as to the sentence and is otherwise affirmed. The matter is remanded to the trial court for resentencing. McIntyre, J.; We Concur: Haller, Acting P.J., McDonald, J.

**D044468        Ilko et al. v. de la Cruz**

The order of the trial court is affirmed. Respondents' opposed motion to dismiss the appeal is denied. The parties are to bear their own costs on appeal. Aaron, J.; We Concur: Nares, Acting P.J., Haller, J.

**D045917        Acceris Communications, Inc. et al. v. Superior Court of San Diego County/Cloud et al.**

The petition is denied.

**D045870        In re Smith on Habeas Corpus**

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
MARCH 25, 2005

**D044554        Goggin v. County of San Diego**

The judgment is affirmed. Respondent is entitled to its costs on appeal. McIntyre, J.;  
We Concur: Huffman, Acting P.J., McDonald, J.

**D045108        People v. Oteo**

The judgment is affirmed. Huffman, Acting P.J.; We Concur: Haller, J., McIntyre, J.

**D044029        People v. Espinal**

The sentence, insofar as the court imposed the upper term for the forcible sodomy conviction, is vacated; in all other respects, the judgment is affirmed. The case is remanded to the superior court to conduct a new sentencing hearing consistent with the principles discussed in this opinion. McDonald, J.; We Concur: Huffman, Acting P.J., McIntyre, J.

**D046110        Rock v. Superior Court of San Diego County/The People**

The petition is denied.

**D045745        Lamouree v. Workers's Compensation Appeals Board and Hyspan Precision Products, Inc.**

The petition is denied.

**D044136        In re Zenah A., a Juvenile**

The true findings Zenah committed two counts of making criminal threats are reversed. In all other respects the judgment is affirmed. McConnell, P.J.; We Concur: McDonald, J., O'Rourke, J.

**D045943        Miller v. Superior Court of San Diego County/Miller**

The petition is denied.

**D042016        People v. Munoz**

The order of December 13, 2004, submitting the above case is vacated to allow the court additional time to decide the issues. No further briefing is requested of the parties, the matter is resubmitted as of the date this order is filed.

**D045930        In re Hammer on Habeas Corpus**

The petition is denied.

**D045927        In re Butler on Habeas Corpus**

The petition is denied.